

Board of Trustees Ventura County Community College District

Cheryl Heitmann

President

Mary Anne Rooney

Vice-President

Arturo D. Hernández

Trustee

Robert O. Huber

Trustee

Larry O. Miller

Trustee



James M. Meznik

Chancellor/Secretary to the Board

MINUTES FOR THE MEETING OF TUESDAY, MAY 10, 2005

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, May 10, 2005, in the Oxnard Union High School District Board Room.

Roll Call

Board Members Present:

Cheryl Heitmann, President

Mary Anne Rooney, Vice-President

Arturo D. Hernández

Robert O. Huber

Larry O. Miller

Management Present:

James M. Meznik, Chancellor

Lydia Ledesma-Reese, President, Oxnard College

Eva Conrad, President, Moorpark College

Michael Gregoryk, Interim President, Ventura College

William Studdt, Vice Chancellor, Human Resources

Patricia Parham, Associate Vice-Chancellor, Human Resources

Sue Johnson, Associate Vice Chancellor, Business Services

Vic Belinski, Associate Vice Chancellor, Information Technology

Ramiro Sanchez, Executive Vice President, Student Learning

Ray DiGuilio, Vice President, Business Services

Carolyn Inouye, Director of Institutional Research

Faculty/Staff/Student Representatives:

Jack Miller, Moorpark College Academic Senate President

Jeannette Redding, Oxnard College Academic Senate President

Becky Hull, Ventura College Academic Senate President

Angie Marquez, Ventura College Classified Senate President

Harry Korn, AFT

Nabil Abu-Ghazaleh, CMA

Eileen Welser, Executive Assistant to the Chancellor

CALL TO ORDER

President Heitmann called the meeting to order at 5:05 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

There were no Public Comments.

RECESS TO CLOSED SESSION

At 5:06 p.m., President Heitmann recessed the meeting to Closed Session.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

- Community College Police Officer I

EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

- Employee #900007837

CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION [*Gov't Code* § 54956.9(a)] The Board considered the following cases:

- *Gasperi vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV225291)
- *Peter Holmes vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV227266)
- *VCCCD vs. Atkinson & Associates, Inc.; SAFECO Insurance Company of America; HPS Plumbing Services, Inc., et al.* (Ventura County Superior Court Case No. CIV227210)
- *Rita Martinez and Raymond Brie vs. Board of Trustees of the VCCCD* (Ventura County Superior Court Case No. CIV227997)
- *Patricia Kistler vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV231014)
- *Jacqueline Cooper vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV230706)
- *Tiffane T. Williams and David E. Williams as the Surviving Heirs, Personal Representatives, Successors of Interest of Decedent, Sarah N. Williams vs. VCCCD et al.* (Ventura County Superior Court Case No. CIV232233)
- *Golden Tee, Inc. vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV230977)
- *Faculty Layoff Proceeding* [subdivision (a) of *Gov't Code* § 54956.9]

CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION [*Gov't Code* § 54956.9(b)] The Board convened into Closed Session to discuss the following items:

1. Continuation of discussion of an action by the County of Ventura regarding certain issues raised by the County with regard to the California Environmental Quality Act.
2. Anticipated litigation, namely, FTR International, general contractors for the Learning Resource Center at Ventura College.
3. Retirement benefits.

CONFERENCE WITH LABOR NEGOTIATOR [*Gov't Code* § 54957.6]

- Employee organizations: SEIU – Chief Negotiator, Patricia Parham
AFT – Chief Negotiator, Jackson Parham

PUBLIC EMPLOYEE APPOINTMENT

- Ventura College President

RECONVENE IN OPEN SESSION

The Board reconvened in Open Session at 7:40 p.m.

CLOSED SESSION REPORT

The Board Chair read the following Closed Session Report:

The Board voted 5-0 to approve the hiring of Dr. Robin Calote as President of Ventura College.

PLEDGE TO THE FLAG

Trustee Hernández led the pledge to the flag.

ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

President's Recognition of Outstanding Students

Certificates of Appreciation were presented to the following individuals:

- Eric Beck, Moorpark College Student
- Jose Fonseca, Oxnard College Student
- Vivianna Hernández, Ventura College Student

Certificate of Appreciation was presented to the following individual:

- Patrick Easley, Oxnard College Fire Technology Program

Patrick Easley thanked the Board and gave a brief overview of the Fire Technology Program.

Reports

- **Reports**
 - **Campus Report – Moorpark College**

Eva Conrad reported on campus activities. She invited the Board to the Scholarship Reception on May 18 and the Moorpark College Graduation and Nursing Pinning Ceremony on May 19. Dr. Conrad acknowledged Jack Miller and welcomed Jeff Baker as Academic Senate President.

James Meznek commented on the upcoming graduation ceremonies. He gave a brief update on the student trustee selection and announced that an election would be held in the fall. Dr. Meznek said that the Rules, Operations & Procedures AdHoc Committee would review the student trustee portion of the Board Policy.

James Meznik reported on his recent visit to the Ventura College ceramics lab and the horticulture facilities with President Heitmann. Dr. Meznik commented on a meeting with the Retirees' Association and indicated that a letter would be sent to them clarifying benefits.

Eva Conrad gave a brief presentation on the districtwide newspaper.

James Meznik reported on a meeting with students in the Ventura College Horticulture Program and announced that one course would be added in the fall.

Trustee Hernández asked about the process that was used to reinstate the Ceramics Program. James Meznik explained the program review process.

- **Academic Senates' Reports**

Jack Miller introduced Jeff Baker, the newly-elected academic senate president.

Becky Hull reported on Faculty Recognition Night, the Ventura College Foundation Scholarship Dinner, and the reinstatement of the Ceramics Program. The Board acknowledged Becky Hull for serving as the Ventura College Academic Senate President.

Jeannette Redding reported on Oxnard College activities and commented on the accreditation report.

- **Enrollment/Budget Report – Sue Johnson**

Sue Johnson gave a brief update on the budget and enrollment. Trustee Huber suggested that the Board contact legislators regarding funding for the community colleges.

It was moved and seconded to suspend the Board Policy to extend Public Comments to one hour and 30 minutes. At 10:10 p.m., it was moved by Trustee Huber, seconded by Trustee Miller, and carried by a unanimous vote, to suspend Board Policy to extend Public Comments until they were completed.

PUBLIC COMMENTS

Gary Johnson, Ara Khanjian, Ray Parr, Barbara Hall, Lawrence Manson, Kathryn Schoenrock, Bernadette Cardinas, Marion Carrasco-Nungaray, Olivia Menchaca, Chuck Brinkman, David Weinstein, Robert Chaparro, Bea Herrera, Andrew Pokross, Linnea Sisting (on Al Miller's behalf), Richard Fox, Jim Downer, Janna Caulkins, Janet Wall, June Behar, Raeann Koerner, Connie Jenkins, Lauren Krasnow, Bob Porter, Chris Horrock, Ray Ferdette, Jr., Paula Munoz, Ana Maria Valles, Ralph James, Tim Austin, Harry Korn, John Wagner, David Magallanes, and Lucy Capuano-Brewer addressed the Board regarding retiree benefits, student programs, shared governance, counseling, unfunded liability, budget cuts, athletic events, and negotiations.

David Weinstein asked for a moment of silence for Rick Cardoni, Moorpark College.

The meeting was recessed to Closed Session at 10:15 p.m. and reconvened at 11:00 p.m.

CLOSED SESSION REPORT

- It was moved by Trustee Huber, seconded by Trustee Miller, and carried on a unanimous vote, to ratify the suspension of employee number Employee #9007837 without pay pending outcome of criminal proceedings.
- **Trustees**
 - **Subcommittees**

Trustee Rooney reported on the Board Construction Subcommittee meeting and pointed out that all projects were either on budget or under budget.
 - **Trustee Reports/Announcements/Correspondence**

Trustee Miller asked for a moment of silence for Miguel Contreras.

Dr. Miller distributed and commented on a report regarding the April 21 visit to Barstow College for presentation of their Summer High School Outreach Program. The Board acknowledged those who participated.

Trustee Huber expressed his concerns regarding the KH Consultant Survey response and requested extending the survey for two weeks. He commented on Participatory Governance in the district and the five-year average of FTES.

There was a brief discussion regarding participatory governance and it was decided that a training session would be held.

The Board commented on the following items:

- ❖ Participatory Governance
 - Board Training
 - Technical Assistance Visit
- ❖ Institutional Racism
- ❖ Accreditation Report
- ❖ Budget Concerns
- ❖ Unfunded Liability
- ❖ GASB
 - Executive Summary
 - Law
- ❖ KH Management Study
- ❖ Campus Activities

Trustee Huber reported on the Groundbreaking Ceremony at Moorpark College.

PUBLIC NOTICES OF CHANGES TO THE AGENDA

Approval of Minutes

- C-2 **Action to Approve Minutes of the Regular Meeting of the Board of Trustees for April 12, 2005** was revised on page 2 under *Call to Order* to indicate that Trustee Hernández arrived at 5:30 p.m., and on page 12 to revise the sentence to read as follows:
“Trustee Rooney asked that “Confidentiality Must be Maintained” appear only once in the policy.”

Human Resources

- C-3 **Revision to Human Resources- Employment Position Management**
 - C. **Approval of Full-time Academic Personnel** was revised to delete/remove the appointment of James Petersen, Instructor, Fire Technology at Oxnard College.

Administrative Services

- C-14 **Capital Planning, Design and Construction**
 - K. **Approval of Contract for the West Parking Lot Renovation at Ventura College** was pulled from the agenda.
 - L. **Approval of Contract for the Building “D” and “CR” Renovation at Ventura College** was pulled from the agenda.

Action Items

Student Learning

- A-5 **Second Reading: Course Approvals: New and Revised Courses – Moorpark College** was revised to renumber the pages.

Consent Calendar Items

It was moved by Trustee Hernández, seconded by Trustee Rooney, and carried on a unanimous vote, to approve the consent agenda.

Approval of Minutes

- C-1 **Action to Approve Minutes of the Special Meeting of the Board of Trustees for March 30, 2005** was approved.
- C-2 **Action to Approve Minutes of the Regular Meeting of the Board of Trustees for April 12, 2005** was approved.

Human Resources

C-3 Employment & Position Management

- A. Approval/Ratification of Limited Term/Provisional Assignments** was granted as listed.
- B. Approval of Equivalency, Ratification and Approval of Part-time Faculty** was granted as listed for the Spring and Summer of 2005.
- C. Approval of Full-time Academic Personnel** was granted as listed.
- D. Approval of Establishment of Position** was granted to establish a Bookstore Stock Assistant-Limited Term (VCZ022) at Ventura College, effective July 5, 2005 – September 1, 2005.
- E. Approval of Abolishment of Vacant Positions** was granted to abolish vacant positions as listed.

C-4 Changes in Personnel-Employment Status

- A. Approval of Resignation/Retirement of Academic and Classified Employees** was pulled for discussion.
- B. Approval of Probationary to Permanent Personnel** was granted to approve probationary to permanent classified personnel as listed.
- C. Approval of Temporary Change of Assignment** was granted to approve the request from Susan Gaddie, Administrative Assistant II, for a voluntary temporary reduction in her assignment.
- D. Approval of Granting Sick Leave Days from Established Sick Leave Pool for Full-time Academic Employee – Oxnard College** was granted to approve 36 days of half-pay from the Sick Leave Pool to Liesel Rigsby, a full-time faculty member at Oxnard College.
- E. Approval of Request for Family Medical Leave** was granted to Vahid Jafroodi, Campus Police Officer and Raylene Biren, Administrative Assistant II, for Family Medical Leave (FMLA/CFRA).
- F. Approval of Reassignments/Transfers/Voluntary Demotions in Lieu of Layoff** was granted to approve the reassignments, transfers and voluntary demotions of classified personnel in lieu of lay-off.
- G. Approval of Revision to Effective Date of Position Elimination/Employee Assignment** was granted to approve the extension of the position/assignment of William Pettit, Kiln Operator, 47.5% (VCU412) at Ventura College to July 29, 2005.

Business Services

- C-5 Ratification of Accounts Payable and Payroll for the Period of March 22, 2005 – April 2, 2005** was approved.
- C-6 Approval/Ratification of Board Purchase Order Report #11 FY 2004-2005** was granted from March 21, 2005 to May 12, 2005.
- C-7 Monthly Budget Transfer Summary** was approved.
- C-8 Quarterly Financial Status Report, General Fund – Combined (CCFS-311Q)** was accepted.

- C-9 Approval of New Contracts and Grants for Fiscal Year 2004-2005** was granted to accept new contracts and grants for Fiscal Year 2004-2005.
- C-10 Surplus/Disposal of Equipment and Materials** was approved for disposal as listed.
- C-11 Budget Amendment: Capital Projects Fund Budget (State Construction Funds)** was approved.
- C-12 Acceptance of Completion of Bid 245, HVAC upgrade in English/Photography/Foreign Language Building (F) at Ventura College** was approved to accept the completion for Bid 245, HVAC Upgrade in English/Photography/Foreign Language Building (also known as Communications Building, F) at Ventura College.
- C-13 Acceptance of Completion of Bid 252, Upgrade and Installation of Electrical Transformers at Ventura College** was approved to accept the completion for Bid 252, Upgrade and Installation of Electrical Transformers at Ventura College.
- C-14 Capital Planning, Design and Construction**
- A. Acceptance of the District's State Five-Year Capital Construction Plan** was approved.
 - B. Acceptance of Completion for Project #19427: Storm Drain Replacement at Moorpark College** was approved to accept completion for Project #19427: Storm Drain Replacement at Moorpark College.
 - C. Approval to Increase the Contract with Fugro West, Inc. to Provide Additional Geotechnical Testing Services for the Learning Resource/Telecommunications Center at Moorpark College** was granted to approve a contract increase with Fugro West, Inc. in the amount of \$37,485 to provide additional geotechnical attesting services for the Learning Resource/Telecommunications Center at Moorpark College.
 - D. Approval to Increase the Contract with Spencer/Hoskins Associates for the Learning Resource/Telecommunications Center at Moorpark College** was granted to approve a contract increase with Spencer/Hoskins Associates in the amount of \$29,642 for the Learning Resource/Telecommunications Center at Moorpark College.
 - E. Acceptance of Completion of Project #19113: Construction of Track and Field at Moorpark College** was approved to accept completion for Project #19113: Construction of the Track and Field at Moorpark College.
 - F. Approval of Design Drawings for the Information Technology Improvements to the LRC Building at Oxnard College** was granted to approve the design drawings for the Information Technology improvements to the existing LRC Building at Oxnard College.
 - G. Approval of a Contract with Pat McCarthy Construction for Improvements to the Auto Technology Building and Site at Oxnard College** was granted to approve a contract with Pat McCarthy Construction in the amount of \$749,821 for the improvements to the Auto Technology Building and site at Oxnard College.

- H. Acceptance of Completion of Project #29108: Construction of North Parking Lot and West Campus Drainage System at Oxnard College** was approved to accept completion for Project #29108: North Parking Lot and West Campus Drainage System at Oxnard College.
- I. Acceptance of Completion for Project #29431: Electrical Systems Upgrade, Phase I, at Oxnard College** was approved to accept completion for Project #29431: Electrical Systems Upgrade, Phase I, at Oxnard College.
- J. Approval of the Schematic Design Drawings for the Student Services Building and Food Service Facility at Oxnard College** was granted to approve the schematic design drawings for the Student Services Building and Food Service Facility at Oxnard College.
- K. Approval of Contract for the West Parking Lot Renovation at Ventura College** was pulled from the agenda.
- L. Approval of Contract for the Building “D” and “CR” Renovation at Ventura College** was pulled from the agenda.
- M. Acceptance of Change Order Summary Report for Capital Projects** was approved.

*Action on Items Listed on the
Consent Calendar but Pulled to be considered Individually*

C-4 Changes in Personnel-Employment Status

- A. Approval of Resignation/Retirement of Academic and Classified Employees** was moved by Trustee Rooney, seconded by Trustee Miller, and carried on a unanimous vote, to approve the resignation/retirement of full-time academic and classified employees.

The Board acknowledged the academic and classified employees for their service to the district.

Student Learning

- C-15 Spring 2005 Candidates for Graduation at Moorpark, Oxnard, and Ventura Colleges** was moved by Trustee Rooney, seconded by Trustee Huber, and carried on a unanimous vote.
- C-16 Spring 2005 Candidates for Certificates at Moorpark, Oxnard, and Ventura Colleges** was moved by Trustee Rooney, seconded by Trustee Huber, and carried on a unanimous vote.

Trustee Rooney acknowledged the graduates. President Heitmann and Trustee Huber commented on the EATM Program graduation.

Action Items/Second Reading Items

Human Resources

It was moved by Trustee Miller to remove Toni Allen from Resolution A-2. The motion died for the lack of a second.

A-2 Adoption of Layoff Resolution was moved by Trustee Hernández, seconded by Trustee Huber, and carried on a 4-1 vote, with Trustee Miller voting no, to adopt a Resolution implementing layoff (terminating services of academic employees), acting upon proposed decision of Administrative Law Judge, and providing direction to issue notifications to employees whose services are being terminated.

A-3 Re-establishment of Ceramics Instruction at Ventura College was moved by Trustee Rooney, seconded by Trustee Hernández, and carried on a unanimous vote.

Trustee Huber commented on the process used for the restoration of the program.

Trustee Miller suggested reinstatement of the Journalism Programs.

There was a brief discussion regarding the budget. Sue Johnson will provide an expenditure analysis.

Student Learning

A-4 Second Reading: Course Approvals: New and Revised Courses – Moorpark, Oxnard, and Ventura Colleges was moved by Trustee Hernández, seconded by Trustee Rooney, and carried on a unanimous vote.

End of Board Actions

ITEMS FOR DISCUSSION

Trustee Issues

- **Trustee Reports/Announcements/Correspondence**

There was a brief discussion regarding a districtwide newspaper and the Board asked for an update.

ADJOURNMENT

At 12:25 a.m. on May 11, 2005, the meeting was adjourned.